

United States Bankruptcy Court District of Minnesota						Voluntary Petition											
Name of Debtor (if individual, enter Last, First, Middle): SCHWING AMERICA, INC.				Name of Joint Debtor (Spouse) (Last, First, Middle):													
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):				All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):													
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 41-1236936				Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)													
Street Address of Debtor (No. and Street, City, and State): 5900 CENTERVILLE ROAD ST. PAUL, MN				Street Address of Joint Debtor (No. and Street, City, and State):													
ZIP Code 55127				ZIP Code													
County of Residence or of the Principal Place of Business: RAMSEY				County of Residence or of the Principal Place of Business:													
Mailing Address of Debtor (if different from street address):				Mailing Address of Joint Debtor (if different from street address):													
ZIP Code				ZIP Code													
Location of Principal Assets of Business Debtor (if different from street address above):																	
Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.													
Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).													
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.						THIS SPACE IS FOR COURT USE ONLY											
Estimated Number of Creditors <table><tr><td><input type="checkbox"/> 1-49</td><td><input type="checkbox"/> 50-99</td><td><input type="checkbox"/> 100-199</td><td><input checked="" type="checkbox"/> 200-999</td><td><input type="checkbox"/> 1,000-5,000</td><td><input type="checkbox"/> 5,001-10,000</td><td><input type="checkbox"/> 10,001-25,000</td><td><input type="checkbox"/> 25,001-50,000</td><td><input type="checkbox"/> 50,001-100,000</td><td><input type="checkbox"/> OVER 100,000</td></tr></table>								<input type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input checked="" type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000
<input type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input checked="" type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000			<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000						
Estimated Assets <table><tr><td><input type="checkbox"/> \$0 to \$50,000</td><td><input type="checkbox"/> \$50,001 to \$100,000</td><td><input type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input type="checkbox"/> \$50,000,001 to \$100 million</td><td><input checked="" type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>								<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input checked="" type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
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Estimated Liabilities <table><tr><td><input type="checkbox"/> \$0 to \$50,000</td><td><input type="checkbox"/> \$50,001 to \$100,000</td><td><input type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input checked="" type="checkbox"/> \$50,000,001 to \$100 million</td><td><input type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>						<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input checked="" type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion		
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Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

SCHWING AMERICA, INC.**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

- None -

Case Number:

Date Filed:

District:

Relationship:

Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☒ Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

X

Signature of Attorney for Debtor(s)

(Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

SCHWING AMERICA, INC.**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X _____
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Signature of Attorney*

X **/s/ MICHAEL L MEYER** _____
Signature of Attorney for Debtor(s)

MICHAEL L MEYER 72527 _____

Printed Name of Attorney for Debtor(s)

RAVICH MEYER KIRKMAN McGRATH NAUMAN & TANSEY PA _____

Firm Name

**4545 IDS CENTER
80 SOUTH EIGHTH STREET
MINNEAPOLIS, MN 55402-2225**

Address

Email: mlmeyer@ravichmeyer.com

612-332-8511 Fax: 612-332-8302

Telephone Number

September 28, 2009

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X **/s/ BRIAN MOGENSEN** _____
Signature of Authorized Individual

BRIAN MOGENSEN _____

Printed Name of Authorized Individual

CHIEF FINANCIAL OFFICER _____

Title of Authorized Individual

September 28, 2009

Date

**United States Bankruptcy Court
District of Minnesota**

In re **SCHWING AMERICA, INC.**
Debtor

Case No. _____

Chapter **11**

Exhibit "A" to Voluntary Petition

1. If any of debtor's securities are registered under Section 12 of the Securities Exchange Act of 1934, the SEC file number is **N/A**.
2. The following financial data is the latest available information and refers to debtor's condition on **JULY 31, 2009**.

a. Total assets	\$ <u>130,590,299.00</u>	
b. Total debts (including debts listed in 2.c., below)	\$ <u>90,919,327.00</u>	
c. Debt securities held by more than 500 holders.		Approximate number of holders
secured / / unsecured / / subordinated / /	\$ <u>0.00</u>	<u>0</u>
secured / / unsecured / / subordinated / /	\$ <u>0.00</u>	<u>0</u>
secured / / unsecured / / subordinated / /	\$ <u>0.00</u>	<u>0</u>
secured / / unsecured / / subordinated / /	\$ <u>0.00</u>	<u>0</u>
secured / / unsecured / / subordinated / /	\$ <u>0.00</u>	<u>0</u>
d. Number of shares of preferred stock	<u>0</u>	<u>0</u>
e. Number of shares of common stock	<u>100</u>	<u>1</u>

Comments, if any:

3. Brief description of debtor's business:
MANUFACTURE AND SALE OF CONSTRUCTION EQUIPMENT
4. List the name of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor:
SCHWING GmbH

**WRITTEN ACTION BY BOARD OF DIRECTORS OF
SCHWING AMERICA, INC. TAKEN WITHOUT A MEETING**

The undersigned, being all of the members of the Board of Directors of Schwing America, Inc., a Minnesota corporation (the "Company") acting pursuant to Minnesota Statute Section 302A.239, do hereby agree to the adoption of and do hereby adopt the following resolutions by consent in writing:

WHEREAS, the Articles of Incorporation and/or Bylaws of the Company provides that any action permitted to be taken at a meeting of the Board of Directors may be taken by written action signed by all of the directors of that Company;

WHEREAS, it is in the best interest of the Company to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code; and

RESOLVED, that Brian Mogensen is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case in the United States Bankruptcy Court on behalf of the Company and is further authorized to execute and deliver all documents necessary during the administration of the bankruptcy case;

RESOLVED, that Brian Mogensen is authorized and directed to appear in all bankruptcy proceedings on behalf of the Company, and to otherwise do and perform all acts and deeds on behalf of the Company as are necessary and appropriate in connection with the administration of the bankruptcy case;

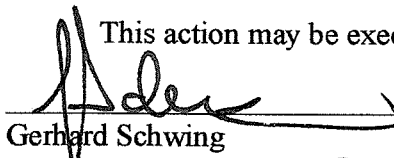
RESOLVED, that Brian Mogensen is authorized and directed to employ Michael Meyer, attorney and the law firm of Ravich Meyer Kirkman McGrath & Nauman, a Professional Association, to represent the Company in such bankruptcy case, and is authorized and directed to employ any other professionals needed to assist the Company in fulfilling its duties as a chapter 11 debtor;


RESOLVED, that Brian Mogensen be and is authorized and directed to take any and all action necessary to carry out the intent of the foregoing resolutions and to perform the Company's obligations that arise as a result of the foregoing resolutions.

The above action is taken without a meeting by authorization in writing signed by all of the members of the Board of Directors of the Company.

This action is to be effective as of August 4, 2009

This action may be executed by facsimile and in counterpart.


Gerhard Schwing


William P. Dease


Brian Hazelton


Achim Schröder


Heinz-Ulrich Wortmann


Brian Mogensen

**United States Bankruptcy Court
District of Minnesota**

In re **SCHWING AMERICA, INC.**

Debtor(s)

Case No. _____

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
CON FORMS DIVISION 777 MARITIME DRIVE P O BOX 308 PORT WASHINGTON, WI 53074-0308	SHELLY CON FORMS DIVISION 777 MARITIME DRIVE PORT WASHINGTON, WI 53074-0308 (866) 414-7812	TRADE DEBT		409,909.25
SNR WALZLAGER GMBH P O BOX 330410 DUSSELDORF, GERMANY 40437	NICOLE SNR WALZLAGER GMBH P O BOX 330410 DUSSELDORF, GERMANY 40437 49-211-6580-638	TRADE DEBT		377,254.82
RYERSON 24487 NETWORK PLACE CHICAGO, IL 60673-1244	TINA HALVORSON RYERSON 24487 NETWORK PLACE CHICAGO, IL 60673-1244 (763) 544-4401	TRADE DEBT		298,102.01
DYNAMIC ENGINEERING P O BOX 697 WATERTOWN, SD 57201-0697	JANICE - ACCOUNTING DYNAMIC ENGINEERING P O BOX 697 WATERTOWN, SD 57201-0697 (605) 886-5544	TRADE DEBT		205,713.07
KOLSTAD COMPANY 8501 NAPLES STREET NE BLAINE, MN 55449	PAUL O'BRIEN KOLSTAD COMPANY 8501 NAPLES STREET NE BLAINE, MN 55449 (763) 795-0654	TRADE DEBT		191,871.60
ENGINEERED CHASSIS SYSTEMS LLC 290 LAGRANDEUR DRIVE SOMERSET, WI 54025	CHARITY ENGINEERED CHASSIS SYSTEMS LLC 290 LAGRANDEUR DRIVE SOMERSET, WI 54025 (715) 247-2634	TRADE DEBT		188,037.35
BRIGGS & MORGAN 332 MINNESOTA STREET W #2200 ST. PAUL, MN 55101	BRIGGS & MORGAN 332 MINNESOTA STREET W #2200 ST. PAUL, MN 55101 (651) 808-6456	PROFESSIONAL SERVICES		179,200.00

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
NEUFAB SPECIALTY FAB 2568 EAGLE RIDGE DRIVE P O BOX 51 RED WING, MN 55066	CATHY NEUFAB SPECIALTY FAB 2568 EAGLE RIDGE DRIVE RED WING, MN 55066 (800) 441-6948	TRADE DEBT		140,901.66
HDI NI DORTMUND 44137 DORTMUND BETENSTRABE GERMANY 44137	HDI NI DORTMUND 44137 DORTMUND BETENSTRABE, GERMANY 44137 49-231-5481-292	INSURANCE PREMIUM		123,480.05
DEUTZ CORPORATION 68 ANNEX P O BOX 102281 ATLANTA, GA 30368	DEUTZ CORPORATION P O BOX 102281 68 ANNEX ATLANTA, GA 30368 (770) 564-7100	TRADE DEBT		122,688.24
HUDSON MACHINE & TOOL 1750 RIDGEWAY STREET HAMMOND, WI 54015	KRIS HUDSON MACHINE & TOOL 1750 RIDGEWAY STREET HAMMOND, WI 54015 (800) 236-5935	TRADE DEBT		120,750.40
SAGA ADVERTISING 570 OLD HWY 8 NW NEW BRIGHTON, MN 55112	SAGA ADVERTISING 570 OLD HWY 8 NW NEW BRIGHTON, MN 55112 (651) 287-0180	TRADE DEBT		116,546.02
PRAETORIAN INSURANCE COMPANY 150 N WACHER DRIVE 29TH FL CHICAGO, IL 60606	R. THIBODEAUX PRAETORIAN INSURANCE COMPANY 150 N WACHER DRIVE 29TH FL CHICAGO, IL 60606 (337) 232-2929	INSURANCE SETTLEMENT		103,102.49
TWIN CITIES MACK & VOLVO 2195 W COUNTY ROAD C-2 P O BOX 130820 ROSEVILLE, MN 55113	TWIN CITIES MACK & VOLVO 2195 W COUNTY ROAD C-2 ROSEVILLE, MN 55113 (651) 633-4810	TRADE DEBT		98,630.81
FREEMAN P O BOX 650036 DALLAS, TX 75265-0036	FRED SMITH FREEMAN P O BOX 650036 DALLAS, TX 75265-0036 (800) 334-9102	TRADE DEBT		95,043.95
FLATIRON CAPITAL P O BOX 17600 DENVER, CO 80217-0600	FLATIRON CAPITAL P O BOX 17600 DENVER, CO 80217-0600	GOODS AND SERVICES		92,421.91
HECKER WERKE GMBH & CO KG ARTHUR-HECKER STR. 1 WELL IM SCHOENBUCH, GERMANY 71093	CLAUDIO HECKER WERKE GMBH & CO KG ARTHUR-HECKER STR. 1 WELL IM SCHOENBUCH, GERMANY 71093 49-7157-5601	TRADE DEBT		85,830.59

In re **SCHWING AMERICA, INC.**

Case No. _____

Debtor(s) _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
SENTRY INSURANCE P O BOX 88372 MILWAUKEE, WI 53288-0372	RITA NACHMAN SENTRY INSURANCE P O BOX 88372 MILWAUKEE, WI 53288-0372 (715) 346-6331	WORKERS COMP CLAIM		63,434.11
PARKER HANNIFIN CORP 5987 COLLECTION CENTER DR CHICAGO, IL 60693	PARKER HANNIFIN CORP 5987 COLLECTION CENTER DR CHICAGO, IL 60693	TRADE DEBT		63,061.07
BOSCH REXROTH ELCHINGEN 7900 ULM - DONAU P O BOX 2260 GERMANY 23192	MARTIN LINDENMAYER BOSCH REXROTH ELCHINGEN 7900 ULM - DONAU GERMANY 23192 49-7308-822018	TRADE DEBT		62,452.46

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the CHIEF FINANCIAL OFFICER of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **September 28, 2009**Signature **/s/ BRIAN MOGENSEN**

**BRIAN MOGENSEN
CHIEF FINANCIAL OFFICER**

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

SCHWING AMERICA, INC.
Debtor(s).

SIGNATURE DECLARATION

Case No. _____

- ☒ PETITION, SCHEDULES & STATEMENTS
☐ CHAPTER 13 PLAN
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
☐ MODIFIED CHAPTER 13 PLAN
☐ OTHER (Please describe: _____)

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 9/28/09

X


Signature of Debtor or Authorized Representative

BRIAN MOGENSEN

Printed Name of Debtor or Authorized Representative

X

Signature of Joint Debtor

Printed Name of Joint Debtor